

**DECISION RECORD
and
FINDING OF NO SIGNIFICANT IMPACT
for
REMOVING EXCESS AND STRAY WILD HORSES FROM THE AREA
NORTH OF I 80 AND WEST OF HWY 287
Of the
RAWLINS FIELD OFFICE**

SUMMARY

The Great Divide Resource Management Plan (RMP), as amended, identifies three wild horse herd management areas (HMAs) within which wild, free-roaming horses will be managed in a humane, safe, efficient, and environmentally sound manner. The Stewart Creek and Lost Creek HMAs are two of those. The RMP sets objectives and identifies management actions which will be carried out to maintain a thriving, natural, ecological balance and to preserve the multiple-use relationship that exists in the areas occupied by wild horses. Management actions in accordance with these objectives are needed to maintain the health of public rangelands that the wild horses and other animals rely on for their existence and to prevent unwanted damage to state and privately owned land. Specific guidance is needed to insure that actions taken that affect the numbers, distribution, or behavior of the horses are formulated utilizing the best available information and carried out in the most effective manner available. The Rawlins RMP revision which is currently in progress, does not propose to change any of these basic elements.

DECISION

I have reviewed the analysis of alternatives for wild horse management within the area North Of Interstate 80 and West Of Hwy 287 in the Rawlins Field Office (RFO) management area as presented in the environmental assessment for *Removing Excess and Stray Wild Horses From The Area North of I80 and West of US HWY 287 of the Rawlins Field Office* (EA# WY030-06-EA-165). Based on that analysis, current population inventories and budget and policy developments that have recently transpired my decision is to select Alternative 1 for the Lost Creek HMA and the areas outside of the HMAs and a modification of Alternative 1 for the Stewart Creek HMA. The specific elements of my decision are as follows:

1. Approximately 185 adult horses and 50 colts will be removed from the Stewart Creek HMA. The horses to be removed will be selected from among approximately 265 to be captured. Approximately 195 adults and 50 colts (a little more than 80% of the total population) will be captured in the Lost Creek HMA and 32 (100%) from areas outside the HMAs. Approximately 75 adults most representative of the Spanish Colonial phenotype will be returned to the Lost Creek HMA. No horses will be returned to the area known as I80 North. Outside the HMAs (I80 North), all the captured horses (approximately 32 + 8 nursing foals) will be removed. The following table depicts the action in detail.

AREA	**Estimated Current + Population	**Estimated #'s to be Gathered	**Estimated #'s to be Removed	**Estimated #'s to be Released	PG * OBJ ##	**Estimated #'s after Gather ##
Stewart Creek HMA	410	265	235	30	150	135
Lost Creek HMA	300	245	170	75	100	100
Outside HMA@	40	40	40	0	0	0
Total	750	550	445	105	250	235

+ From inventories in March and July

** Includes colts born in 2006

Does not include colts born in 2006

@ includes Bairoil pasture

* The Post Gather Objective. These numbers are explained in EA# WY030-06-EA-165

2. The Rawlins Field Office Wild Horse Management Handbook (handbook) will guide wild horse management in the RFO. The handbook contains all current policy, practices, procedures, and technical support documentation which affect wild horse management. The handbook is available for review during normal business hours at the Rawlins Field Office, 1300 N 3rd Street, Rawlins, Wyoming. The handbook provides continuing guidance to individuals involved in wild horse management and provides the public with the opportunity to understand individual wild horse program actions within the larger program context.
3. The Great Divide RMP will continue to provide the general wild horse program direction within the RFO management area.
4. Management will be based on the current configuration of HMAs and the AMLs that have been determined for those areas as identified in the Great Divide RMP as amended.
5. Implementing the Proposed Action (Removing Excess Wild Horses) will serve the following principles within and adjacent to the Stewart Creek and Lost Creek HMAs:
 - a. Maintenance of populations within the ranges identified for the HMAs.
 - b. Regular monitoring and evaluation of herd and habitat health.
 - c. Humane care and treatment of animals.
6. Implementing the Proposed Action (Removing Excess Wild Horses) is consistent with both the Animal and the Habitat objectives of the Herd Management Area Plans for the Stewart Creek and Lost Creek HMAs.
7. This action will be carried out in accordance with all the relevant BLM policies in effect at the time.
8. Implementing the Proposed Action will be accomplished utilizing the services of an approved contractor and will begin on or about August 20, 2006.

CONSIDERATION OF PUBLIC COMMENTS IN THE DEVELOPMENT OF THIS DECISION

Public comments on the various components of wild horse management on public lands in the Stewart Creek and Lost Creek HMAs have been solicited extensively throughout the last several years. Many comments have been received over this period of time. These comments have represented a wide range of views. Some commentators have urged the removal of all horses from the public lands while others urged the curtailment or elimination of other uses that compete with horses. Some commentators have saluted the management actions of the BLM while others have been less supportive. All of these varying viewpoints have been considered in the development of the current practices employed to carry out the intent of the Wild, Free Roaming Horse and Burro Act on public lands under the jurisdiction of the Rawlins Field Office. Only one comment was received on this EA during the comment period and it supported the preferred alternative. An additional comment was received after the close of the comment period and it addressed operating methods.

ADMINISTRATIVE PROCEDURES

This decision is issued in full force and effect in accordance with 43 CFR 4770.3(c) which states in part: "decisions ...shall be effective upon issuance or on a date established in the decision." Once the decision is final, it will be subject to appeal. If you wish to appeal this decision, as provided by 43 CFR 4770.3 and 43 CFR 4.4, you must file an appeal in writing within 30 days of this decision with the Rawlins Field Office, P.O. Box 2407 (1300 North 3rd Street) Rawlins, Wyoming 82301.

The appeal must state clearly and concisely why you think the decision is in error.

Should you wish to file a motion for stay, the appellant shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted, and
4. Whether the public interest favors granting the stay.

If you decide to also submit a petition for stay of the decision, a copy of the notice of appeal, statement of reasons, and petition for stay should be simultaneously filed with the Office of the Field Solicitor, Rocky Mountain Region, 755 Parfet Street, Suite 151, Lakewood, Colorado, 80215.

RELATIONSHIP TO OTHER ACTIONS

During the same period of time (after August 15, 2006), similar actions are scheduled for adjacent areas in the Rock Springs and Lander Field Offices. The areas are the Divide Basin HMA administered by Rock Springs and the Antelope Hills, Crooks Mountain, and Green Mountain HMAs administered by Lander. Those actions will be the subject of separate environmental analyses completed by the respective field offices. Whatever course of action that they select is scheduled to be completed by the same contractor; that will complete this action. The actions in the Lander Field Office are to be conducted concurrently with this action while the action in the Rock Springs Field Office will follow.

FINDING OF NO SIGNIFICANT IMPACT

Based on the environmental analysis presented in the environmental assessment for *Removing Excess and Stray Wild Horses From The Area North of I80 and West of HWY 287 of the Rawlins Field Office* (EA# WY030-06-EA-165), I find that the impacts to the quality of the human environment are not expected to be significant. Therefore, an environmental impact statement is not necessary.

I have reviewed my responsibilities under existing laws, regulations, policies, and land use decisions, and my decision is consistent with them.



Rawlins Field Manager

August 8, 2006
Date